

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29514 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -BANMANKHI District- PURNIA

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Ravindra Singh, Son of Nageshwar Singh, Presently residing at Village-
Dhima, P.S- Banmankhi, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar

For the Opposite Party/s : Mr. Sri Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 09-09-2016

Heard.

The petitioner herein seeks anticipatory bail in Banmankhi
P.S. Case No. 50 of 2016 registered under Sections 47 (क) of Bihar
Excise (Amendment), Act, 2016 and under Section 272, 273 of the
Indian Penal Code.

On secret informant, the S.H.O. along with other police
personnel in presence of independent witness(s) raided the house of the
petitioner. Seeing the police party, petitioner started to flee away and
managed to escape. In presence of the witness(s), the house was
searched wherefrom 13 bottles containing 400 ml. of country made
liquor and 3 bottles of AC black containing 375 ml. each, 6 bottles of
Royal Stag containing 180 ml. each and 31 bottles containing 180 ml.
MC dowel (IMFL) were recovered.

It is submitted that petitioner has falsely been implicated in this case. The petitioner is a handicapped person of 45% disabilities.

Learned APP opposed the prayer and placed the FIR as well as the order passed by the learned Sessions Judge wherefrom it appears that in presence of the independent witness(s), those recoveries were made in possession of the petitioner from the backyard of the house.

Considering the facts and circumstances of the Case, I am not satisfied, it is a fit case for grant of anticipatory bail to the petitioner.

The prayer is rejected.

(Kishore Kumar Mandal, J)

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